

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**October 22, 2014**

The meeting was called to order at 4:04 p.m. by Chairman Phil Conder at 3600 Constitution Blvd., West Valley City, Utah

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Barbara Thomas, and Latai Tupou

**ABSENT**

Clover Meaders

**WEST VALLEY CITY PLANNING DIVISION STAFF**

Steve Pastorik, Lee Logston, Kevin Despain, Steve Lehman, and Nichole Camac

**AUDIENCE**

Approximately four (4) people were in the audience

## **ZONE CHANGE APPLICATION**

**Z-4-2014**

**Joe Cunningham**

**2938 South Glen Eagles Drive**

**A to C-2**

**2.0 acres**

Joe Cunningham has requested a zone change for two parcels totaling 2.0 acres at 2938 South Glen Eagles Drive from A (agriculture, minimum lot size of ½ acre) to C-2 (general commercial). Surrounding zones include C-2 to the east and south and RM (residential, multi-family) to the north and west. The surrounding land uses include commercial to the south, a narrow vacant strip and then commercial to the east and vacant land to the north and west. The Mountain View Corridor will be built to the west of the subject property, which is designated as general commercial in the General Plan.

### **Development Proposal**

If this application is approved, Mr. Cunningham plans to consolidate the subject two parcels with the parcel to the east and develop the property as storage units along with an auto brokerage building approved by the Planning Commission in 2012 (C-43-2012). Attached to this report is a letter from Mr. Cunningham in support of this application as well as a concept plan for the proposed storage units.

Staff supports commercial zoning on the subject property for the following reasons:

- Commercial use is anticipated in the General Plan.
- There is existing commercial use on two sides.
- The Mountain View Corridor will be located to the west of the property. UDOT has already acquired the property to the west.
- Given the narrow access to the subject property with the associated limited visibility from Glen Eagles Drive, storage units seem like a good fit here.

### **Staff Alternatives:**

- Approval, the proposed zone change complies with the General Plan.
- Continuance, for other reasons determined at the public hearing.

### **Applicant:**

Joe Cunningham

Not Present

**Discussion:** Steve Pastorik presented the application. Barbara Thomas asked if there will be signage advertising the potential storage units. Steve replied that there will be signage on the building to the east which will be the leasing office.

**Motion:** Commissioner Fuller moved for approval.

Commissioner Matheson seconded the motion.

### **Roll call vote:**

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes

Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

**Unanimous-Z-4-2014 Approved**

## **SUBDIVISION APPLICATIONS**

**S-13-2014**

**Park Vista Subdivision – Phase 1**

**3995 South 7050 West**

**R-1-10 Zone**

**42 Lots**

**16 Acres**

**U/A 2.6**

### **BACKGROUND:**

Mr. Nick Mingo, representing Ivory Homes, is requesting final plat approval for the first phase of the Park Vista Subdivision. This phase of the subdivision will be located at approximately 3995 South 7050 West. It is bordered on the north, east and west by existing residential development. Property to the south will be developed as a future phase.

### **STAFF/AGENCY COMMENTS:**

#### **Public Works:**

Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.

Follow recommendations outlined in the soils report.

Evaluate concerns related to grading and drainage. Individual lot grading plans and retaining wall locations may be required prior to issuance of a building permit. Individual lot retention will be required along the northern boundary of the subdivision.

Contact Salt Lake County for approval regarding street names and subdivision name.

All streets shall meet City standards related to curb, gutter, sidewalk and asphalt. Connections to existing streets not meeting the City's current right-of-way width shall be modified to meet the 54-foot right-of-way.

#### **Building Division:**

Follow recommendations outlined in the soils report.

#### **Utility Companies:**

Standard Utility Easements required.

#### **Granger Hunter Improvement District:**

Developer will need to coordinate all matters regarding water and sewer services.

**Fire Department:**

Project to meet all fire codes relating to this type of development.  
Hydrants to be shown on plat.

**ISSUES:**

The Planning Commission granted preliminary plat approval in June 2014. As noted during that meeting, there are a number of issues related to the development of this property. Staff would like to address those areas more specifically below:

**Phase 1 design:**

The first phase of the subdivision consists of 42 lots on 16 acres. This equates to an overall density of 2.6 units per acre. Lot sizes range from 10,000 square feet to 17,987 square feet. The average lot size has been calculated at 11,275 square feet.

The subdivision is being developed within the north half of the overall property due to storm water drainage and access with existing street systems. The lot layout and street designs are planned to take advantage of existing stub streets from the north, south, east and west. Due to the locations of these streets and the corresponding lot patterns, lot depths in some locations are rather shallow.

**Development Agreement:**

Due to the challenges of the existing street locations, there are a number of lots that will be challenging to meet area and setback requirements. During the preliminary approval process, Ivory Homes proposed a development agreement that would address these lots. Lot 101 would have a reduced area requirement and the front setbacks for lots 101-112 and lots 119-122 would be reduced by 5 feet. In consideration of this relief, Ivory Homes proposed an agreement that off-sets the City's consideration of those reductions. Some of these considerations include the following:

- \* All homes to be built from the current Ivory Catalog
- \* Elevations and building materials to comply with current ordinances
- \* 15-foot dedicated access to City Park
- \* Entry monument on 4100 South

**Access:**

Access to the subdivision will be gained from existing stub streets in the Chapparral Estates Subdivision to the north, east. Access will also be gained from the Falconcrest subdivision to the south and from the Brandon Place Subdivision to the west. As these streets were not constructed to the standards that are used today, there will be slight transitions to connect with the existing rights-of-way. These will be coordinated with the City's Engineering Division.

All new streets will be dedicated and improved to the City's standard 54-foot right-of-way. This cross section includes a 5-foot sidewalk and 5-foot parkstrip. Staff is concerned with construction access. The developer is proposing that this access be located at the northwest corner of the subdivision. Given the relatively short distance from 7200 West, this is the best location. The developer will coordinate best management practices for vehicles coming and going from the construction site.

**Grading/Drainage:**

The proposed subdivision slopes downward from the south to the north. It drops approximately 50 feet from 4100 South to the residential housing to the north. However, the drop is over a distance of approximately 1000 feet. Individual lot grading plans will be required at the time a building permit is submitted. While the slope is not severe, staff believes that this will help lessen the potential for grading problems between lots and to help mitigate surface water problems for new home owners.

There may also be locations within this phase that require retaining walls. These will be identified as the plat and plans are reviewed by the City Engineering Division. Individual lot retention will be required for all lots along the northern boundary of the subdivision.

**Groundwater:**

The developer has submitted a soils report. This report was dated February 2014. The report indicated that ground water was not encountered to a depth of 11 feet.

**Railroad:**

The Union Pacific Railroad is located at the southwest corner of the subdivision. While there no lots adjacent to the Railroad within this phase of the subdivision, the developer has coordinated the subdivision development with UDOT who oversees the rail crossing at 4100 South. There were no safety issues and the subdivision was approved by UDOT.

During the preliminary review process, staff noted that a letter was submitted to the City when this property was proposed for rezoning by another development group. This letter expresses concerns by Union Pacific related to new residential development. Primarily, the concerns are noise, vibration, trespassing along the railroad etc. Staff has conveyed this information to the developer.

Although Union Pacific's concerns are valid, there is nothing that would prohibit residential development from locating here. Staff will recommend that a note be placed on the plat similar to what the City requires for agricultural properties. This note will simply identify this area as being next to the Union Pacific Railroad and that there may be noises, vibrations etc., that may impact the subdivision.

**City Park:**

Falcon Crest Park is located in the center of this subdivision. Lots within this phase of the subdivision and in future phases, wrap around the park with the west end being open to the street. Since there is limited access to the park from the east, the Parks Department suggested that an access would be beneficial. Ivory Homes agreed to provide a 15-foot space between lots 117 and 118. The access will be dedicated to the City and the City will install improvements that are deemed appropriate.

When the park was constructed, an area along the west side of the park was improved with asphalt. This area was paved to allow vehicular access to the park. It also provided a turnaround area. When Ivory Homes constructs Young Drive, this area will not be needed, nor will it be able to function as a parking lot. Resident parking will take place along the dedicated street. We have recommended that Ivory Homes coordinate the improvements along the west boundary of the park with the Parks Department. These discussions should focus on the removal of the pavement, and the tie-in from the new sidewalk to the existing park sidewalks.

**STAFF ALTERNATIVES:**

- A. Grant final plat approval for the 1<sup>st</sup> phase of the Park Vista Subdivision subject to the following conditions:
1. That the subdivision follow all provisions of the development agreement.
  2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
  3. That compliance be made with Granger Hunter Improvement District, i.e., water line extensions, connections, water rights and fire protection.
  4. That the developer coordinate all matters associated with irrigation or open ditch systems with the City Engineering Division.
  5. That all streets be dedicated and improved to a 54-foot half width and constructed in accordance with plans and profiles approved by the City Engineering Division. Where new streets connect with existing streets not built to current standards, the appropriate transition shall occur.
  6. That the developer follow all recommendations outlined in the soils report.
  7. That a note be placed on the final plat indicating that this subdivision is located near the Union Pacific Railroad and that noise, vibration and hours of operation will be potential impact to residents.
  8. That the developer continue to coordinate grading and drainage for this project with the City Engineering Division. Said grading plan shall identify areas of concern with regards to existing slopes. The grading plan will need to illustrate how the site will be contoured and what retaining methods if any, will be used to ensure slope stability. Measures shall be taken early on to eliminate potential grading problems between lots. Recommendations noted by the City Engineering Division will be made part of the final plat.
- B. Continue the application to address issues raised by the Planning Commission.

**Applicant:**

Nick Mingo  
978 E Woodoak Lane

**Discussion:** Steve Lehman presented the application. Barbara Thomas asked if there will be parking on the west side of the street for the park. Steve replied yes. Terri Mills asked if it will be marked. Steve replied no. Commissioner Mills asked if maintenance trucks will park on the street as well. Steve replied yes. Barbara Thomas asked if someone could build their own home design on the lot. Nick Mingo, the applicant, replied yes but added that Ivory doesn't typically allow this since they are homebuilders and not just developers. Jack Matheson stated that he feels this will be a great subdivision with the lot sizes and homes meeting new City standards. Commissioner Thomas agreed and added that the walkway into the park is an added amenity.

**Motion:** Commissioner Matheson moved for approval subject to the 8 staff conditions.

Commissioner Tupou seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

**Unanimous-S-13-2014 Approved**

**CONDITIONAL USE APPLICATIONS**

**C-58-2014**

**The Ugly Duckling Car Sales (Hilario Reyes)**

**4735 W 3500 S (portion of building in rear)**

**C-2 Zone (0.88 Acres)**

**Approved Use: Auto Dealership**

The applicant, Hilario Reyes, representing The Ugly Duckling Car Sales, requests conditional use amendment approval for auto sales at 4735 W 3500 S. The zoning for this area is C-2, General Commercial. All the property along 3500 S in this area is C-2 zoning. The property to the west is another auto dealership. The property to the east is a residence. The area to the south is the Valley Vu Villas condos. The West Valley City General Plan anticipates General Commercial this area.

The rear building was built in 1984 as warehouse, storage, and also auto repair. There have been auto repair type businesses in this building over the years. The applicant will occupy about three quarters of the building which includes 5 bays. There is also a small office space on the west side of the building. He intends to use the interior space as a showroom and storage area for the vehicles that he sells. According to his letter provided, he will store a maximum of 7 cars on site. Mr. Reyes will be the sole owner.

Mr. Reyes will acquire the majority of his inventory from local auto auctions. All work for vehicles that require repairs or body work will be conducted at other locations. He will not do any body work or repair work. The majority of his sales will be through the internet. Vehicles will be driven to the site or delivered by tow vehicles. Transporters will not be used.

The other businesses in front include an auto parts store, an emissions shop, a pawnshop, and a neighborhood grocery. The parking required for these uses is about 28 stalls. The site has 20 parking stalls in front, 9 stalls behind the front building, and 8 stalls in front of the building that the applicant will use. The total stall count is 37 stalls. Auto dealerships require 5 stalls for customers and employees plus stalls devoted to outside display of vehicles. The applicant will utilize only the stalls in front of his building.

The parking areas are in disrepair. There are notable potholes in the drive lane on the west side of the property. The surfacing in the rear area was recently patched. There is also considerable garbage, outside storage, and inoperable vehicles and parts. The drive lane that accesses the rear of the site needs to remain open at all times to accommodate two way traffic and also emergency vehicles.

Signage will include a small wall sign above the office door. There is a multi-tenant pole sign out front that is available. The hours of operation will be from 10 am – 7 pm, Monday to Saturday

**Staff Alternatives:**

**Approval**, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use is Auto Dealership. Auto Mechanic or Repair shall not be conducted.
2. Parking for this use shall be in the rear area of the site only.
3. The drive lane on the west side of the property shall remain free of parking at all times. Any potholes in the parking area shall be patched and repaired.
4. Deliveries and pickup of vehicles shall be conducted entirely on-site. The public right of way shall not be used for deliveries or pickups as per City Ordinance.
5. There shall be no outside storage for this use. Operable vehicles shall be parked in stalls.
6. The site is to be well-maintained and free of garbage or trash, including junk and inoperable vehicles.
7. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
8. All requirements of affected departments and agencies must be met
9. This use is subject to review upon a valid complaint

**Applicant:**

Hilario Reyes  
4735 W 3500 S

**Discussion:** Kevin Despain presented the application. Phil Conder clarified that parking lot repairs and other concerns with the site can be addressed with this conditional use. Kevin replied yes and stated that the applicant will need to use the parking lot and drive aisles as part of his business. Hilario Reyes, the applicant, stated that the property owner will be taking care of the



pot holes in the parking lot. Barbara Thomas clarified that some of the junk from behind the building will be removed. Mr. Reyes replied yes. Commissioner Thomas clarified that there will be 8 striped stalls in front of his portion of the building. Mr. Reyes replied yes. He indicated that he will work with the property owner to correct any issues so he can be granted his business license. Jack Matheson clarified that the front building has parking stalls to the rear of it. Kevin replied yes. He added that everyone will be sharing parking stalls but the City wants to ensure that there is enough parking for all businesses on the parcel.

**Motion:** Commissioner Thomas moved for approval subject to the 9 staff conditions.

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

**Unanimous-C-58-2014 Approved**

**PLANNING COMMISSION BUSINESS**

Approval of Minutes from October 8, 2014 (Regular Meeting) **Approved**

Approval of Minutes from October 15, 2014 (Study Session) **Approved**

**Chairman Conder closed the public hearing.**

**DISCUSSION ITEM**

Discussion regarding the General Plan update.

**Discussion:** Steve Pastorik discussed the Economic Development chapter of the proposed General Plan update. He stated that the City's revenue has grown faster than its population since 1984. He added that the City has also become less reliant on sales tax and now property tax makes up the majority share of revenue which is much more stable. Steve stated the City struggles in education. He indicated that the education level of adults compared to the County is lower (college degrees, etc.) as is the performance of Kindergarten through 12<sup>th</sup> grade students. Steve stated some goals that the City would like to establish with this information is continuing its pursuit of commercial development and looking at ideas to encourage adult education. He indicated the City would need to look at options in helping younger children and teens living in the City score higher in testing and other factors for education. Steve added that the City would also like to continue providing job opportunities as the population continues to grow. Barbara Thomas stated that she feels the City may be limited in what it can do for education and indicated this may be a Granite School District concern. Terri Mills stated that the City prides itself on being diverse but the data staff used to determine the opportunity index appears to use diversity as a disadvantage. Steve stated that staff can change this to only reflect test scores if the Planning Commission feels that is a better representation. Staff and the Planning

Commission discussed various ideas to help education within the City that include decreasing crime, increasing home values, providing after school programs for students, etc.

Steve discussed the community facility chapters of the proposed General Plan. He indicated that it is important to provide new facilities such as a new public safety building, a potential new crime lab, and a gun range for the Police Department. Steve explained that the State is also pushing cities to reduce the amount of run-off that comes from a site into the storm drain system. This General Plan update includes the need to provide low impact development techniques to reduce this. Staff and the Planning Commission discussed rainfall and the regulations against keeping and using it for personal use.

Steve discussed the Parks, Recreation, and Culture section of the proposed General Plan. He provided an inventory of parks, a list of trails, and recreation facilities in the City. Steve indicated the calculations are per 1000 residents and the City would like to maintain this ratio moving forward. Steve discussed bike trails and natural open space areas as well. Terri suggested that the City look to the community, such as boy scouts, to help maintain recreational space. Barbara Thomas asked about the proposed 100 acres of land for an outdoor sports complex. Steve replied that this is aspirational and is something that there is a need for but whether the City can accomplish it is not known at this point.

Steve discussed the Transportation chapter of the proposed General Plan. He indicated that TOD has been scaled back and an inventory of streets and transit options has been updated. Steve discussed the planned impact fee plan to help with roadway and intersection projects. Barbara asked if the Wasatch Regional Transportation Plan is covered in the General Plan. Steve replied yes and indicated which goals are included. Steve discussed the major street plan and indicated that managing traffic is a goal the City has established by improving intersections as well as better light coordination. Terri Mills expressed concern that 3500 S west of 5600 W is not considered a major street. She indicated it has significant traffic volumes. Steve replied that studies show it is less and indicated that commercial development is more high impact than the residential areas to the west of 5600 W. on 3500 S.

There being no further business, the meeting adjourned at 5:31 p.m.

Respectfully submitted,

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Nichole Camac, Administrative Assistant